

REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

Claims 1, 14, 15, 30 and 56 were rejected under 35 U.S.C. Section 103(a) as allegedly being made “obvious” by a proposed combination of Hickman (U.S. Patent No. 6,059,692) and Theimer et al. (U.S. Patent No. 5,493,692). While not acquiescing in this rejection or in the characterizations of the applied references made in the office action, claims 1-55 are canceled without prejudice or disclaimer and claim 56 is amended. The discussion below makes reference to amended claim 56.

The system of claim 56 includes a communication circuit configured to receive first exercise activity data communicated from exercise machines used by exercisers and second exercise data communicated from one or more computers receiving inputs supplied by exercisers indicative of exercises performed without using an exercise machine; a memory storing exercise activity records for multiple exercisers; a processing system programmed to update the stored exercise activity records based on the first exercise activity data received from the exercise machines and the second exercise data received from the one or more computers, to identify one or more exercisers by applying one or more criteria to the exercise activity records of each of the multiple exercisers, to generate messages relating to the identified exercisers, and to send the generated messages over a communication network.

Hickman discloses that information being uploaded to a remote server computer 66 “can include parameters and data stored in the mass storage 88 concerning the exercise sessions by the user(s) of the local system 12.” Col. 10, lines 37-39. Hickman does not disclose or suggest receiving exercise data from a computer receiving inputs supplied by exercisers indicative of exercises performed without using an exercise machine. Consequently, Hickman does not, among other things, disclose or suggest updating exercise activity records based on such data as claimed.

Theimer et al. discloses the use of email messages, but does not remedy Hickman's deficiencies with respect to receiving exercise data indicative of exercises performed without using an exercise machine as claimed.

At least for this reason, the proposed combination of Hickman and Theimer et al. is deficient with respect to claim 56.

Claims 57 and 58 were rejected under 35 U.S.C. Section 103(a) as allegedly being made "obvious" by the Hickman-Theimer et al. combination, further in view of Reed et al. (U.S. Patent No. 5,862,365). Reed et al. '325 discloses sending e-mail messages, but is at least deficient with respect to receiving exercise data indicative of exercises performed without using an exercise machine as recited in claim 56. Consequently, even if Reed et al. '325 were combined with Hickman and Theimer et al., the resulting system would still be deficient with respect to claim 56 and its dependent claims 57 and 58.

New claims 59-74 are added.

The system of claim 59 includes, among other things, a communication interface that receives first exercise activity data which is generated by an exercise apparatus and which is indicative of exercise performed by the exerciser using the exercise apparatus and second exercise activity data which is generated based on exerciser-supplied inputs to a computer and which is indicative of other exercise performed by the exerciser without using an exercise apparatus. A processing system is configured to update exerciser activity records in a memory based on the first and second exercise activity data, to generate workout data for the exerciser based at least in part on the exercise activity records and to send the generated workout data over a communication network. For reasons similar those discussed above, none of the applied references disclose or suggest receiving exercise activity data which is generated based on exerciser-supplied inputs to a computer and which is indicative of other exercise performed by the exerciser without using an exercise apparatus generating workout data as claimed. Consequently, claim 59 and its dependent claims 60-67 patentably distinguish over the applied references.

The system of claim 68 includes, among other things, a communication interface configured to receive from an exercise apparatus first exercise activity data for first exercise

activities performed using the exercise apparatus and to receive from a computer second exercise activity data for second exercise activities performed without using any exercise apparatus. Processing resources are configured to update the exercise activity records based on the first and second exercise activity data, to generate future workout data for the exerciser based at least in part on the exercise activity records for the exerciser, and to communicate the future workout data over a communication network. For reasons similar those discussed above, none of the applied references disclose or suggest receiving exercise activity data which is generated based on exerciser-supplied inputs to a computer and which is indicative of other exercise performed by the exerciser without using an exercise apparatus generating workout data as claimed. Consequently, claim 68 and its dependent claims 69-74 patentably distinguish over the applied references.

At least for the above reasons, favorable office action is respectfully requested.

Respectfully submitted,

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